

81-101-A  
37

PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Elizabeth Nicholson

I, or we, Robert Nicholson, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 1802.3C.1 to permit a side street at back of 5 ft. instead of the required 25'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) Lots 13 and 14 are owned as a 40' wide entity, adjacent to Prince George Street. The lots have never been under common ownership with adjacent Lots 11 and 12, currently owned by Mr. and Mrs. Stanley Bullock (acquired from T. J. Driscoll, July, 1979), who acquired from E. Chase and A. Routson (January, 1978), who acquired from F. Day (April, 1977); who had owned it from the 1930's. The owner is paying front foot benefits for water and sewer. In order to use the lot, because of practical difficulties, a variance is necessary to reduce the side yard set-back to 5 ft. from the right of way of Kent Ave.

\*Nicholson acquired from E. & K. Dyer (March, 1980), who acquired the lots in the 1930's.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser

Elizabeth Nicholson  
Legal Owner

Address 3144 CARDINAL DRIVE  
WESTMINSTER, MD. 21157

Petitioner's Attorney

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of

October, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of November, 1980 at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

IN THE MATTER OF  
PETITION FOR VARIANCE

ROBERT NICHOLSON, et ux,  
Petitioners

CASE NO. 81-101-A

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

MISCELLANEOUS

14/104/82-M-99

\*\*\*\*\*  
OPINION

The above captioned case having come before the Court on appeal of the property owners, Robert Lee and Elizabeth Nichols, the Court is unable to make a decision in this case because of the lack of testimony from an engineering standpoint regarding the subject property.

Therefore, the Court is remanding the above captioned case to the County Board of Appeals in order that testimony may be taken from the civil engineer in this case.

August 24, 1982

William R. Buchanan, Sr.  
JUDGE

RECEIVED  
BALTIMORE COUNTY  
AUG 25 10 24 AM '82  
COUNTY CLERK  
BY: C

FILED AUG 25 1982

IN THE MATTER OF

APPLICATION OF  
ROBERT NICHOLSON, et ux,  
FOR VARIANCE OF PROPERTY  
LOCATED ON THE NE CORNER  
OF PRINCE GEORGE STREET  
AND KENT AVENUE, 1st  
DISTRICT

ZONING FILE NO. 81-101-A

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

AT LAW

MISC. 14/104/82-M-99

MAY 11 1983

FILED

CLERK

\*\*\*\*\*

OPINION

The above captioned case having come before this Court on appeal of the property owners, Robert Nicholson, et ux.; the Court having examined the files, and considered arguments of counsel and the law, has concluded that the Opinion of the County Board of Appeals of Baltimore County, dated November 24, 1982, should be affirmed.

As the Board recognizes in its Opinion, one who acquires a substandard size lot experiences practical difficulty with regard to the use of such property for building purposes. The Board correctly considered all facets of this case and determined that it was "... very strongly of the opinion" that the requested variance should be denied. Applying the criteria set forth in *Sedney v. Lloyd*, 44 Md. App. 633, the issue before the Board was "fairly debatable" and this Court cannot substitute its judgment for that of the Board. The Board did not apply a "clearly erroneous" standard.

It is therefore Ordered this 10th day of May, 1983 that the decision of the County Board of Appeals of Baltimore County, dated November 24, 1982, is AFFIRMED.

Cullen H. Hornes  
JUDGE

DATE 5/10/83

CHH/sh

Copy to: E. Pete Summerfield, Esq.  
John W. Hession, III, Esq.  
Peter Max Zimmerman, Esq.

RE: PETITION FOR VARIANCE  
NE corner of Prince George St.  
and Kent Ave., 1st District

OF BALTIMORE COUNTY

ROBERT NICHOLSON, et ux,  
Petitioners

Case No. 81-101-A

\*\*\*\*\*

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 19th day of November, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Robert Nicholson, 3144 Cardinal Drive, Westminster, Maryland 21157, Petitioners.

John W. Hession, III  
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Nicholas B. Commodari  
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

RE: Item No. 37  
Petitioners - Robert Nicholson, et ux  
Variance Petition

Dear Mr. & Mrs. Nicholson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

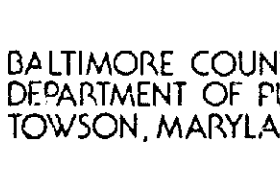
Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,  
Nicholas B. Commodari  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bac

Enclosures

cc: Boender Associates  
Town & Country Professional Building  
Ellicott City, Maryland 21043



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

September 25, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #37 (1980-1981)  
Property Owner: Robert & Elizabeth Nicholson  
N/E cor. Prince George Street and Kent Avenue  
Acres: 40 x 125 District: 1st

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lots 13 and 14 of Block 21 (not Block 2 as indicated) of "Plat No. 2 Catonsville Manor", recorded W.P.C. 6, Folio 116.

Highways:

Kent Avenue and Prince George Street, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way. Highway rights-of-way widening, including a fillet area for sight distance at the intersection and any reversible easements for slopes as necessary, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #37 (1980-1981)  
Property Owner: Robert & Elizabeth Nicholson  
Page 2  
September 25, 1980

Water and Sanitary Sewer:

There are public 8-inch water mains and 8-inch public sanitary sewerage in Kent Avenue and Prince George Street.

Very truly yours,  
Ellsworth N. Diver, P.E.  
ELLSWORTH N. DIVER, P.E.  
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley

L-SE Key Sheet

1 NW 22 Pos. Sheet

NW 1 F Topo

95 Tax Map



494-3180

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
March 8, 1982

Mr. Kenneth Stedding  
5947 Prince George St.  
Baltimore, Md. 21207

Dear Mr. Stedding:

Re: Case No. 81-101-A  
Robert Nicholson, et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

*June Holmen*  
June Holmen, Secretary

Encl.

cc: Mr. & Mrs. Robert Nicholson  
Mr. Raymond A. Pfeifer  
Mr. Benjamin F. Weigand  
J. W. Hessian, III, Esq.  
W. Hammond  
J. Dyer

494-3180

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
April 8, 1982

John W. Hessian, III, Esq.  
People's Counsel  
Court House  
Towson, Md. 21204

Dear Mr. Hessian:

Re: Case No. 81-101-A  
Robert Nicholson, et ux

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

*June Holmen*  
June Holmen, Secy.

Encl.

cc: Kenneth Stedding  
Raymond Pfeifer  
Benjamin Weigand  
J. Dyer

April 8, 1982

BILLED TO: Mr. and Mrs. Robt. Nicholson  
3144 Cardinal Dr.  
Westminster, Md. 21157

Cost of certified documents filed  
in Case No. 81-101-A . . . . . \$ 17.00

Robert Nicholson, et ux  
NE/c Prince George St. and Kent Ave.  
1st District

MAKE CHECKS PAYABLE TO: Baltimore County, Md.

REMIT TO: County Board of Appeals  
Rm. 200, Court House  
Towson, Md. 21204

494-3180

**County Board of Appeals**  
Room 219, Court House  
Towson, Md. 21204  
April 8, 1982

Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

Dear Mr. & Mrs. Nicholson:

Re: Case No. 81-101-A  
Robert Nicholson, et ux

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

*June Holmen*  
June Holmen, Secretary

Encls.

494-3180

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
October 19, 1982

**NOTICE OF ASSIGNMENT**  
(REMAND HEARING)

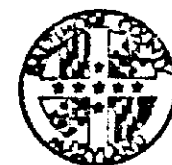
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 81-101-A ROBERT NICHOLSON, et ux  
NE/c Prince George Street and  
Kent Avenue  
1st District  
Variance-Setback

ASSIGNED FOR: THURSDAY, NOVEMBER 18, 1982, at 10 a.m.

cc: Mr. & Mrs. Robert Nicholson Petitioners  
Mr. Kenneth Stedding Protestant  
Mr. Raymond Pfeifer "  
Mr. Benjamin Weigand "  
J. W. Hessian, Esq. People's Counsel  
W. Hammond  
J. Dyer

June Holmen, Secretary



**Baltimore County, Maryland**

PEOPLE'S COUNSEL  
RM. 223, COURT HOUSE  
TOWSON, MARYLAND 21204

JOHN W. HESSIAN, III  
People's Counsel  
PETER MAX ZIMMERMAN  
Deputy People's Counsel

TEL. 494-2188

November 12, 1982

Mr. Kenneth Stedding  
5947 Prince George Street  
Baltimore, Maryland 21207

Mr. Raymond A. Pfeifer  
5944 Prince George Street  
Baltimore, Maryland 21207

Mr. Benjamin F. Weigand  
5942 Prince George Street  
Baltimore, Maryland 21207

RE: Robert Nicholson, et ux, Petitioners  
Zoning Case No. 81-101-A

Gentlemen:

As you are aware, Mr. and Mrs. Nicholson took an appeal to the Circuit Court of Baltimore County from the denial of their requested variance by the County Board of Appeals. At the conclusion of the oral argument in the Circuit Court, the Court neither affirmed nor reversed the Board but rather instructed Nicholson to settle the question as to where the road right-of-way line actually is by bringing in and presenting to the County Board of Appeals a registered surveyor's plat, after which the County Board of Appeals may reconsider the matter in light of the accurate information.

Accordingly, I suggest that you arrange to be present next Thursday, November 18, 1982, at 10 am, so that you may monitor the proceeding and participate therein as you deem appropriate.

Very truly yours,

*John W. Hessian, III*  
John W. Hessian, III  
People's Counsel for Baltimore County

cc: County Board of Appeals

JWH:sh

494-3180

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
November 24, 1982

Mr. and Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

Dear Mr. & Mrs. Nicholson:

Re: Case No. 81-101-A  
Robert Nicholson, et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

*June Holmen*  
June Holmen, Secretary

Encl.

cc: Kenneth Stedding  
Raymond Pfeifer  
Benjamin Weigand  
J. W. Hessian, Esq.  
W. Hammond  
J. Dyer  
Hon. William R. Buchanan, Sr.

494-3180

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
December 27, 1982

John W. Hessian, III, Esq.  
People's Counsel for Balto. County  
Court House  
Towson, Md. 21204

Dear Mr. Hessian:

Re: Case No. 81-101-A  
Robert Nicholson, et ux

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

*June Holmen*  
June Holmen, Secretary

Encl.

cc: Kenneth Stedding  
Raymond A. Pfeifer  
Benjamin Weigand  
W. Hammond  
J. Dyer



LAW OFFICES  
SUMMERFIELD & WILLEN  
PAINTERS MILL PROFESSIONAL BUILDING  
110 PAINTERS MILL ROAD, SUITE 6  
OWINGS MILLS, MARYLAND 21117  
(301) 383-4444

E. PETE SUMMERFIELD\*  
MARK T. WILLEN  
\* ADMITTED IN MD. AND D.C.

December 16, 1982

Clerk  
County Board of Appeals  
Room 219, Courthouse  
Towson, Maryland 21204

RE: Misc. 14/104/82-M-99 Robert Nicholson, et ux.  
Zoning File: 81-101-A

Dear Mr. Clerk:

Enclosed for your records is a copy of an Order for Appeal  
by Applicant on the above-referenced case.

Very truly yours,

SUMMERFIELD & WILLEN

*E. Pete Summerfield*  
E. Pete Summerfield

MTW/ehf  
Enclosure

494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204  
December 27, 1982

E. Pete Summerfield, Esq.  
110 Painters Mill Rd., Suite 6  
Owings Mills, Md. 21117

Dear Mr. Summerfield:

Re: Case No. 81-101-A  
Robert Nicholson, et ux

In accordance with Rule B-7 (a) of the Rules of Procedure of  
the Court of Appeals of Maryland, the County Board of Appeals is required  
to submit the record of proceedings of the zoning appeal which you have  
taken to the Circuit Court for Baltimore County in the above matter within  
thirty days.

The cost of the transcript of the record must be paid by you.  
Certified copies of any other documents necessary for the completion of  
the record must also be at your expense.

The cost of the transcript, plus any other documents, must be  
paid in time to transmit the same to the Circuit Court not later than thirty  
days from the date of any petition you might file in court, in accordance  
with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice  
covering the cost of certified copies of necessary documents.

Very truly yours,

*John Holmen*  
John Holmen, Secretary

Encls.  
cc: Mr. and Mrs. Robert Nicholson

December 27, 1982

BILLED TO:

E. Pete Summerfield, Esq.  
110 Painters Mill Rd., Suite 6  
Owings Mills, Md. 21117

Cost of certified documents filed  
in Case No. 81-101-A . . . . . \$ 3.00

Robert Nicholson, et ux  
NE/c Prince George Street and  
Kent Avenue  
1st District

MAKE CHECK PAYABLE TO:

Baltimore County, Md.

REMIT TO:

County Board of Appeals  
Rm. 200, Court House  
Towson, Md. 21204

Kathy Rushon — 494-2660  
Assignment — Jury — Motions  
Medical Records  
Assistant Clerk Typist  
Irene Summers — 494-2661  
Assignment — Non-Jury — Motions  
Freddie Grove  
Assistant Clerk Typist

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE  
COUNTY COURTS BUILDING  
401 Bosley Avenue  
P.O. Box 6754  
Towson, Maryland 21204-0754  
February 24, 1983.

Jobi Adams — 494-2660  
Civil Assignment Commissioner  
Settlement Court  
Linda Ercolano — 494-2662  
Master Assignment Clerk  
Medical Records

TO: E. Pete Summerfield, Esq.  
Thomas J. Bollinger, Esq.  
John V. Eason, III, Esq.  
Peter Max Zimmerman, Esq.  
County Board of Appeals of Balto. County

RE: MJ - 82 M 425 - ROBERT NICHOLSON ET AL VS BOARD OF APPEALS OF BALTO. CO.

HEARING DATE: Tuesday, May 3, 1983, @ 9:30 A.M.

ON THE FOLLOWING: Appeals & hear

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to conform calendars. Claim of not receiving notice will not constitute  
reason for postponement.

POSTPONEMENTS: If the above date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment  
Office AS SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the  
Director of Central Assignments — Joyce Grimm — 494-2667.

SETTLEMENT CONFERENCES: All counsel must secure the attendance of all parties necessary to effect a binding settlement, including clients and  
insurance representatives. THERE WILL BE NO EXCEPTIONS PER ORDER OF JUDGE FRANK E. CUCONE. Please direct all inquiries to the Attn-  
of Jobi Adams.

SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put on  
the record if no order of satisfaction is filed prior to trial.

Kathy Rushon — 494-2660  
Assignment — Jury — Motions  
Medical Records  
Assistant Clerk Typist  
Irene Summers — 494-2661  
Assignment — Non-Jury — Motions  
Freddie Grove  
Assistant Clerk Typist

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE  
COUNTY COURTS BUILDING  
401 Bosley Avenue  
P.O. Box 6754  
Towson, Maryland 21204-0754  
February 24, 1983.

TO: E. Pete Summerfield, Esq.  
County Board of Appeals  
John V. Eason, III, Esq.  
Peter Max Zimmerman, Esq.

RE: MJ - 82 M 425 - ROBERT NICHOLSON ET AL VS BOARD OF APPEALS OF BALTO. COUNTY

HEARING DATE: Friday, April 23, 1983, @ 9:30 A.M.

ON THE FOLLOWING: ALL OPEN MOTIONS IN THIS CASE  
IF YOU DESIRE TO SUBMIT, PLEASE CONTACT CIVIL ASSIGNMENT.

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to conform calendars. Claim of not receiving notice will not constitute  
reason for postponement.

POSTPONEMENTS: If the above date is not agreeable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment  
Office AS SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS WITHIN 15 DAYS OF TRIAL must be made to the attention of the  
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the record if no order of satisfaction is filed prior to trial.



Baltimore County, Maryland

PEOPLE'S COUNSEL  
RM. 223, COURT HOUSE  
TOWSON, MARYLAND 21204

JOHN W. HESSIAN, III  
People's Counsel  
PETER MAX ZIMMERMAN  
Deputy People's Counsel

Tel. 494-2188

February 3, 1983

E. Pete Summerfield, Esquire  
Summerfield & Willem  
110 Painters Mill Road, Suite 6  
Owings Mills, Maryland 21117

RE: Robert Nicholson, et ux, Petitioners  
Zoning Case No. 81-101-A

Dear Mr. Summerfield:

I received the copy of your Answer to our Motion to Dismiss, to which  
there was attached a copy of your Memorandum.

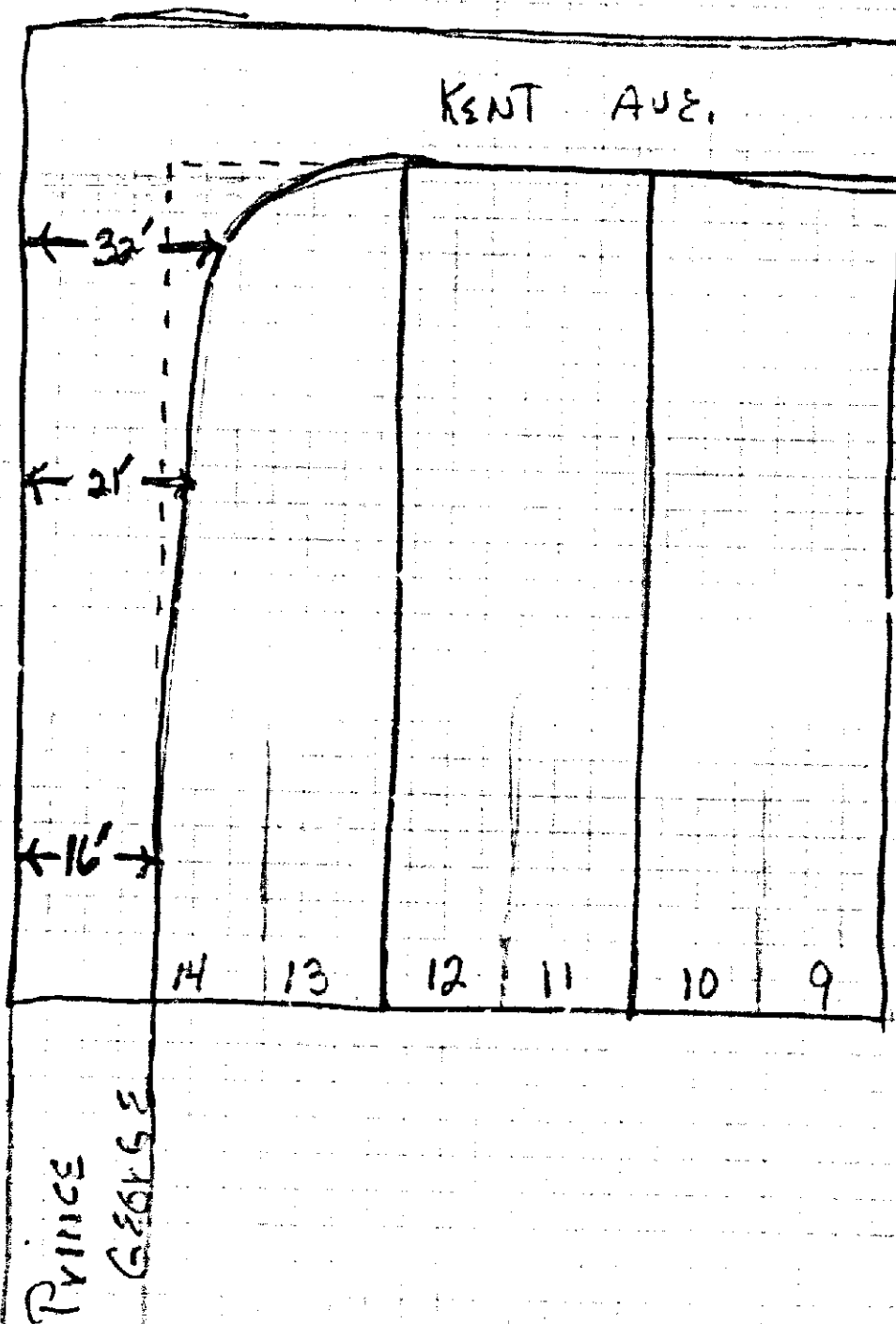
You received in mid-January a Certificate of the Clerk of the Court to  
the effect that the record had been received and filed by him. This act triggered  
Maryland Rule B12, which in essence requires you to file within thirty days of the  
date of filing of the record, or more specifically, January 18th, a Memorandum  
setting forth the material as required in the Rule. I am then required to follow  
your Memorandum within thirty days.

The thought occurred to me that you might want to take the attitude that  
my Motion to Dismiss does not stay the operation of Rule B12 and file a Memorandum  
as required by B12. This will certainly eliminate any question as to whether or not  
there is a stay and will prevent us from having another snag.

Very truly yours,

*John W. Hessian, III*  
John W. Hessian, III  
People's Counsel for Baltimore County

JWH:sh



Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

cc: Boender Associates  
Town & Country Professional Building  
Ellicott City, Md. 21043

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 22nd day  
of October, 1980.

*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner Robert Nicholson, et ux

Petitioner's Attorney

Reviewed by: *William E. Hammond*  
Nicholas J. Commodari  
Chairman, Zoning Plans  
Advisory Committee

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 1st Date of Posting Nov. 8, 1980

Posted for: PETITION FOR VARIANCE

Petitioner: ROBERT NICHOLSON, ET UX

Location of property: NE/c PRINCE GEORGE ST. & KENT AVENUE

Location of Signs: NE/c PRINCE GEORGE ST. & KENT AVE.

Remarks: RePosted Stake & Sign Nov. 17, 1980

Posted by: *Thomas R. Roland*

Date of return: Nov. 14, 1980

Number of Signs: ONE

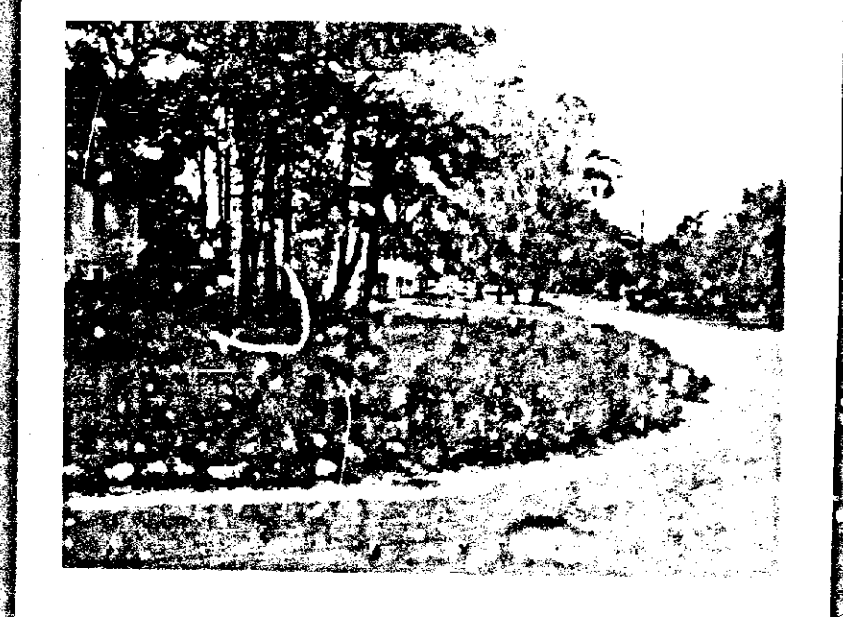


IN THE CIRCUIT COURT  
FOR BALTIMORE COUNTY, IN EQUITY  
Plaintiff  
vs.  
Defendant  
CERTIFICATE OF PUBLICATION OF

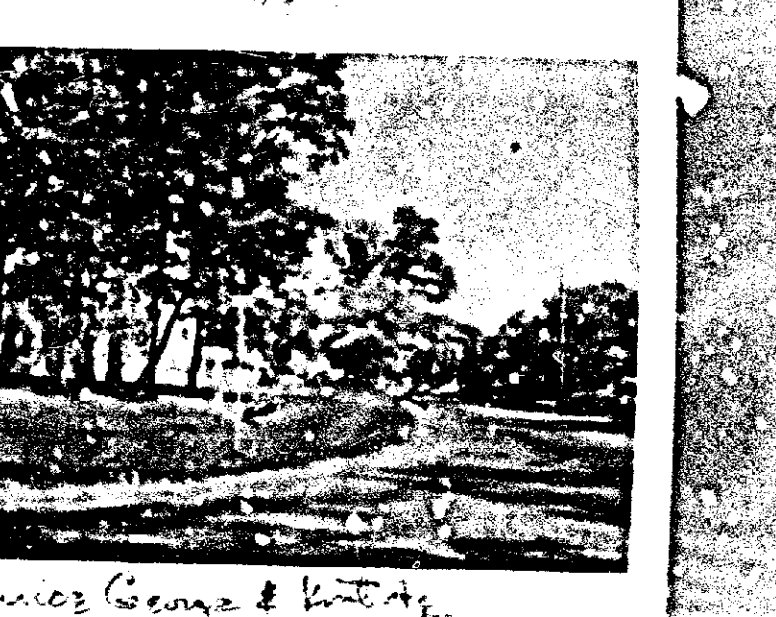
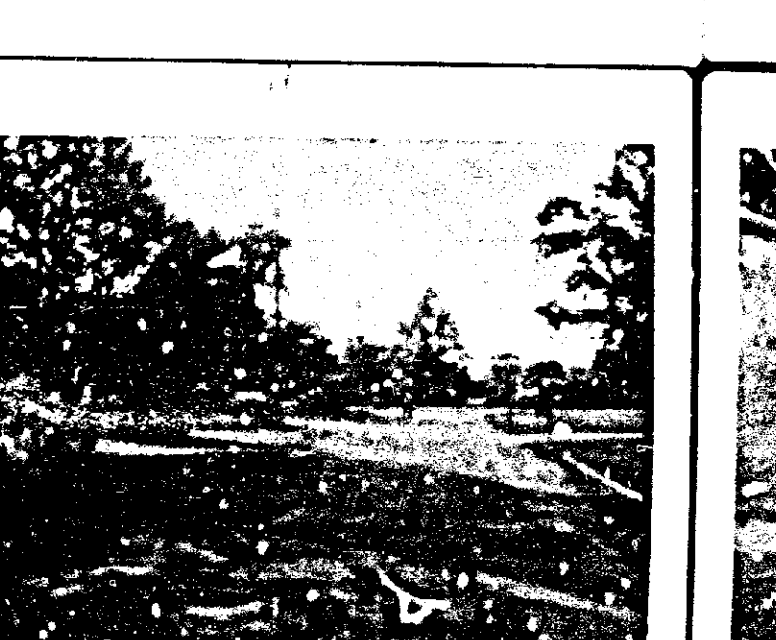
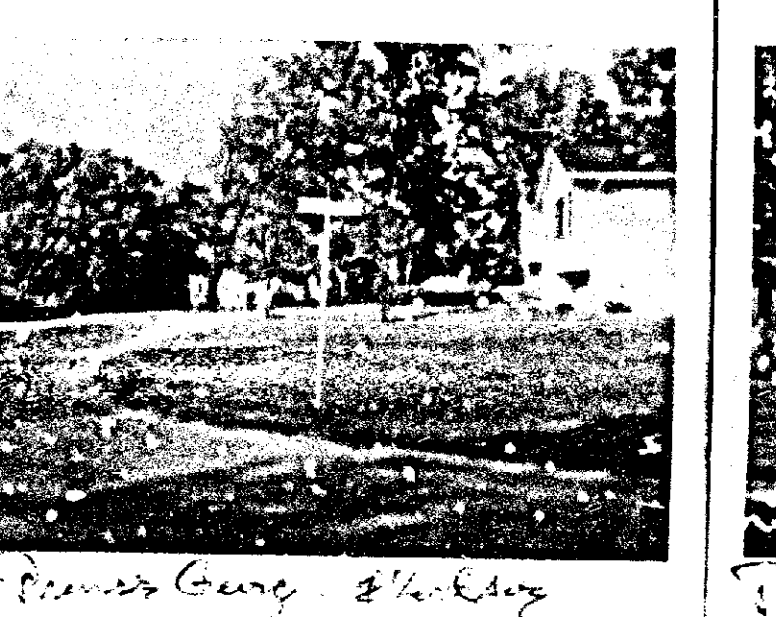
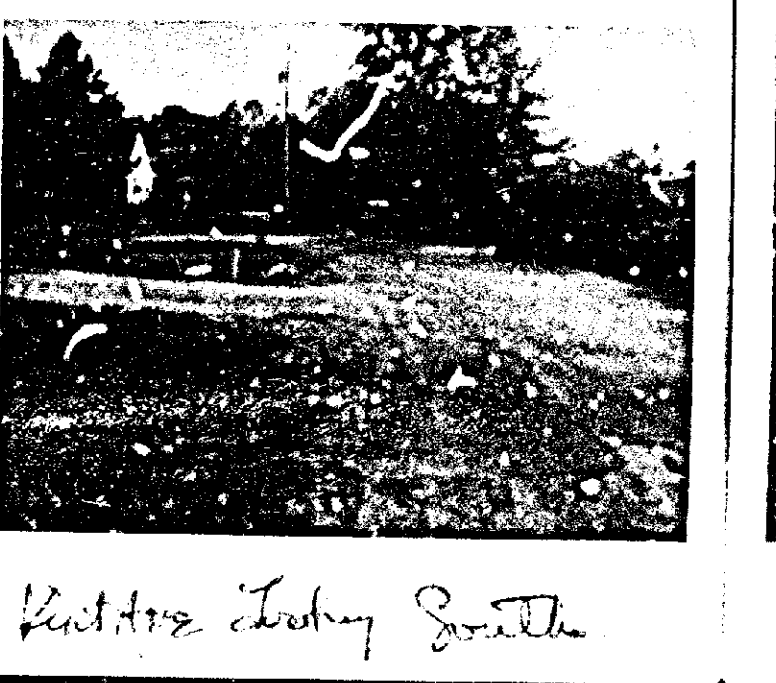
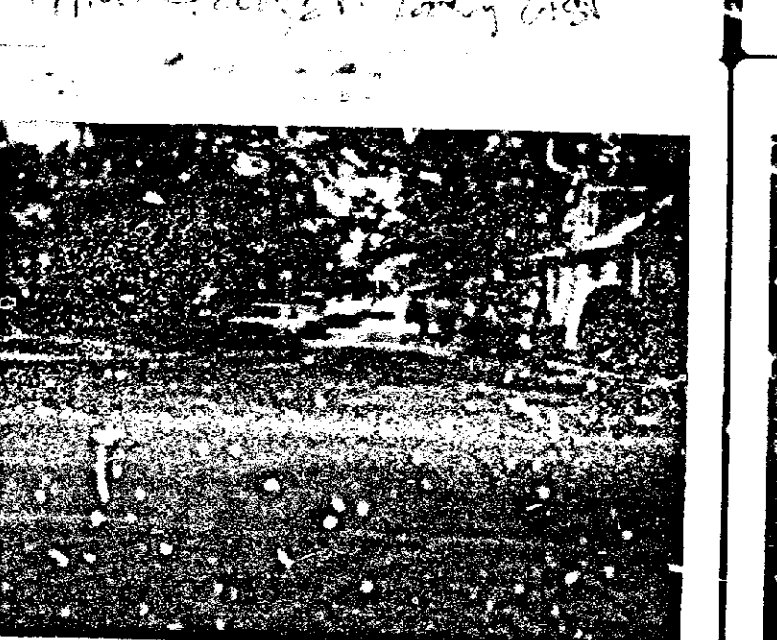
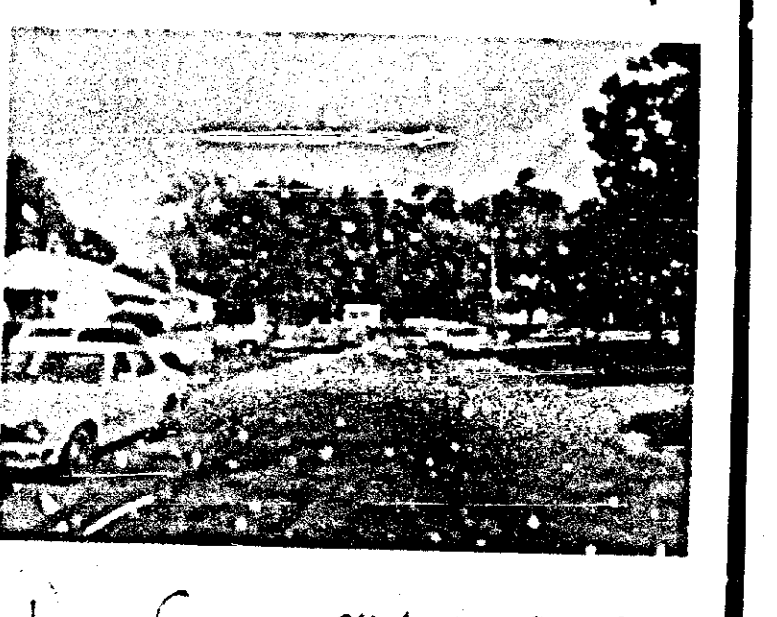
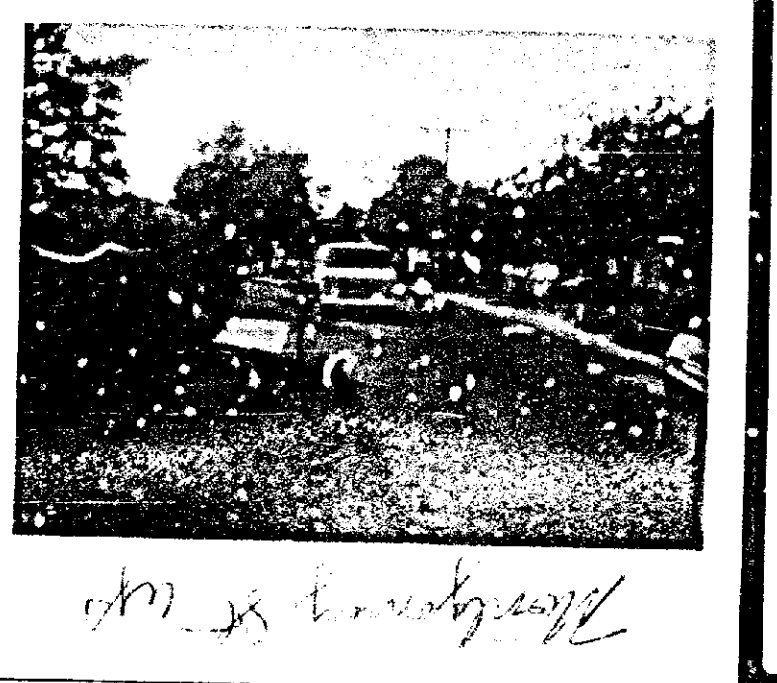
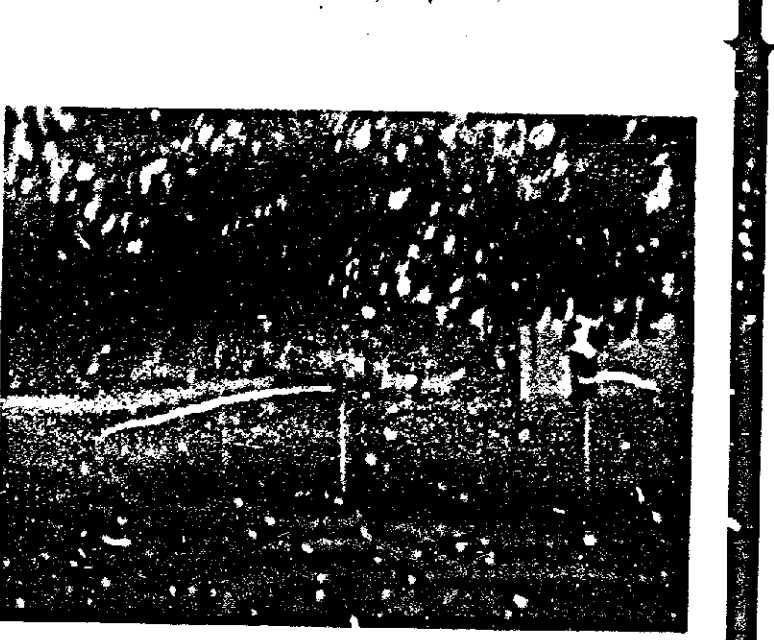
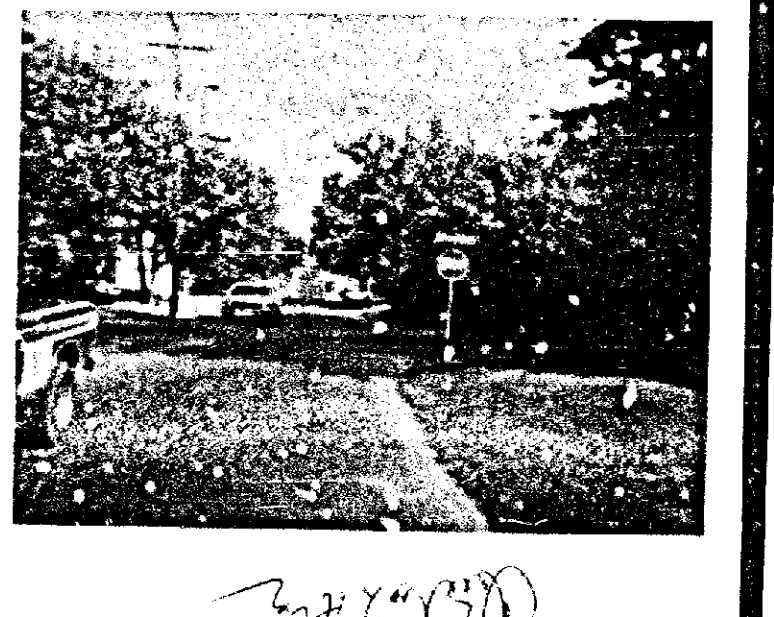
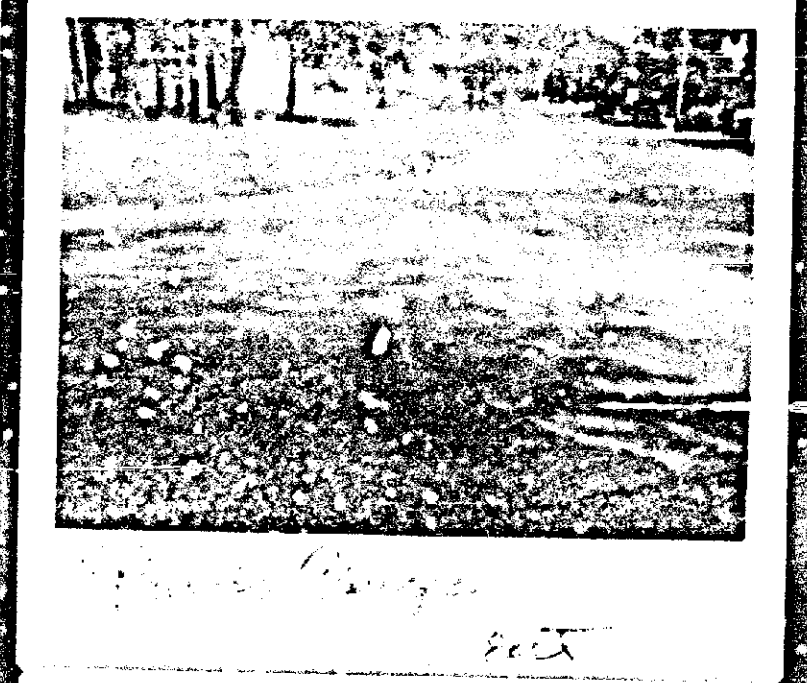
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 097213  
DATE March 20, 1981 ACCOUNT 01-662  
AMOUNT \$40.00  
RECEIVED FROM Marc A. Appel, Esquire  
FOR Filing Fee for Appeal of Case No. 81-101-A  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 095197  
DATE March 12, 1981 ACCOUNT 01-662  
AMOUNT \$40.00  
RECEIVED FROM Raymond Pfeifer  
FOR Filing Fee for Appeal of Case No. 81-101-A  
VALIDATION OR SIGNATURE OF CASHIER

CASE NO. 81-101-A AT LAW  
14 - 15, Folio 104 - 30, File 82-M-99 & 82-M-425  
Robert Nicholson, et ux vs.  
RECEIVED FROM THE COUNTY BOARD OF APPEALS  
CERTIFIED DOCUMENTS, EXHIBITS, AND BOARD'S  
ANSWER FILED IN THE ABOVE ENTITLED CASE.  
Katie Nichols  
Clerk's Office  
Date: Jan. 18, 1983



CASE NO. 81-101-A AT LAW  
Robert Nicholson, et ux vs.  
RECEIVED FROM THE COUNTY BOARD OF APPEALS  
TRANSCRIPT, CERTIFIED DOCUMENTS, EXHIBITS,  
AND BOARD'S ANSWER FILED IN THE ABOVE  
ENTITLED CASE.  
Katie Nichols  
Clerk's Office  
Date: May 5, 1982



County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following:  
Petition for Variance to permit a side street setback of 5 feet in lieu of the required 25 feet.  
Section 1902.3C.1 - side street setback  
All that parcel of land in the First District of Baltimore County, being all of those two (2) side-by-side lots and parcels lying on the northeast corner of Prince George Street (100' wide) and Kent Avenue (100' wide), each lot having 25.00 feet frontage along the westerly right-of-way line of Kent Avenue and running southerly from the same for a distance of 125.00 feet, and all being shown on plat filed with the Zoning Department, Hearing Date: Tuesday, November 25, 1980 at 9:30 A.M.  
BY ORDER OF  
WILLIAM E. HAMMOND  
Zoning Commissioner  
of Baltimore County

Office of  
**COLUMBIA PUBLISHING CORP.**  
10750 Little Patuxent Pkwy  
Columbia, MD 21044  
19  
THIS IS TO CERTIFY, that the annexed advertisement of  
PETITION FOR VARIANCE 1 & DISTRICT  
PRINCE GEORGES STREET  
was inserted in the following:  
☒ Catonsville Times  
☐ Arbutus Times  
weekly newspapers published in Baltimore County, Maryland, once a week for ONE successive weeks before the 7th day of NOVEMBER 1980, that is to say, the same was inserted in the issues of  
11/6/80

COLUMBIA PUBLISHING CORP.  
By Wancy Knowles

81-101-A  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
Your Petition has been received this 6 day of May, 1981  
Filing Fee \$ 25 Received: Check  
37  
William E. Hammond, Zoning Commissioner  
Petitioner Robert Nicholson, et ux Submitted by William E. Hammond  
Petitioner's Attorney Stephen J. Prater Reviewed by William E. Hammond  
\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.  
District 1st Date of Posting May 2, 1981  
Posted for: Variance  
Petitioner: Robert Nicholson, et ux  
Location of property: NE/C Prince George St. and Kent Ave.  
Location of Signs: NE/C Prince George St. and Kent Ave.  
Remarks: This being the second sign, first sign posted 3-21-81  
Posted by Stephen J. Prater Date of return: May 6, 1981  
Number of Signs: 1

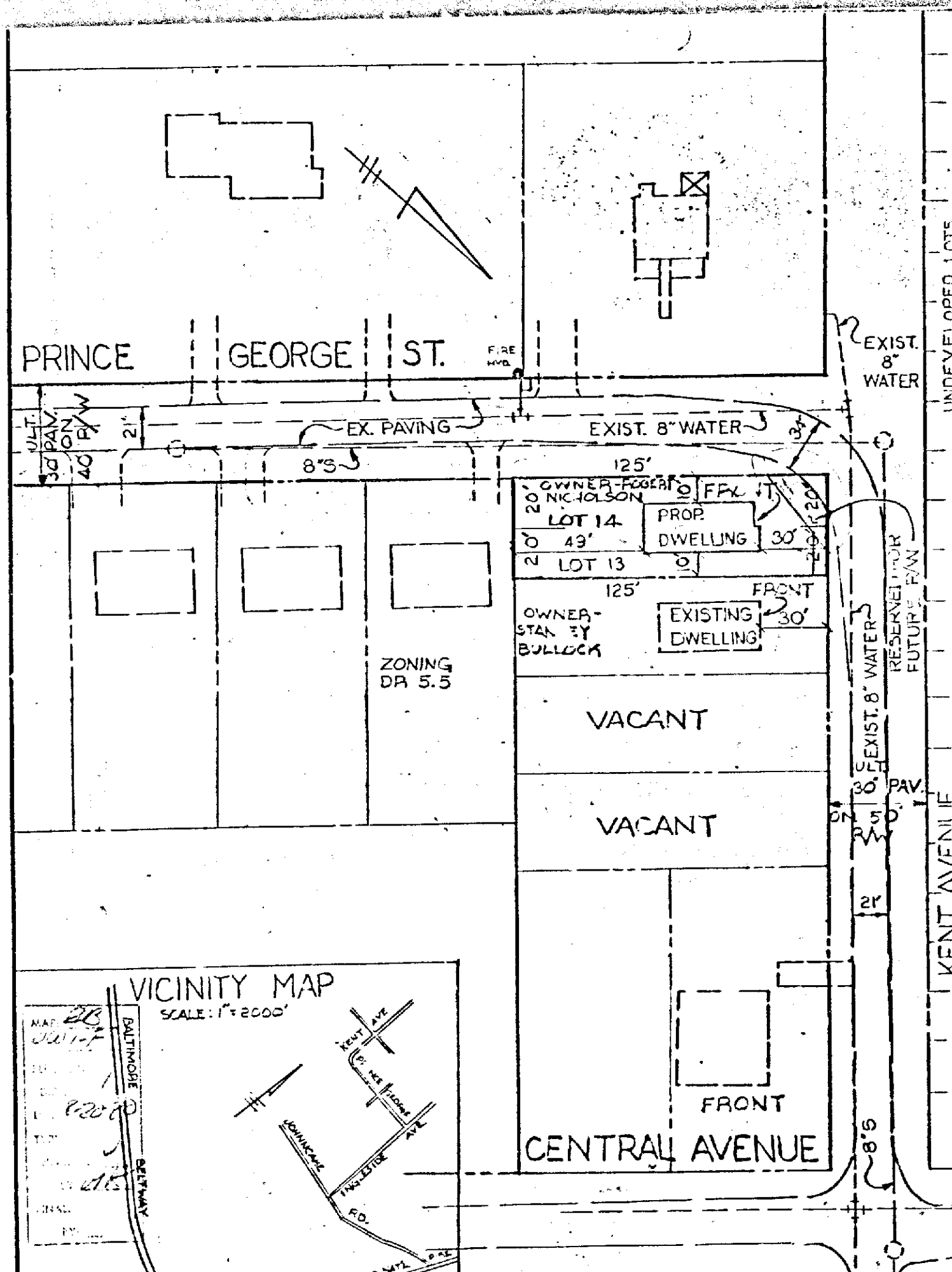
CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland  
81-101-A  
District 1st Date of Posting 3-21-81  
Posted for: Appeal - Variance  
Petitioner: Robert Nicholson, et ux  
Location of property: NE/C Prince George St. and Kent Avenue  
Location of Signs: NE Corner of Prince George St. and Kent Avenue, facing Prince George St.  
Remarks: Stephen J. Prater  
Posted by Stephen J. Prater Date of return: 3-21-81  
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 093520  
DATE October 28, 1980 ACCOUNT 01-662  
AMOUNT \$25.00  
RECEIVED FROM Boender Associates  
FOR Filing Fee for Case No. 81-101-A  
VALIDATION OR SIGNATURE OF CASHIER  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 093559  
DATE November 24, 1980 ACCOUNT 01-662  
AMOUNT \$15.79  
RECEIVED FROM Central Maryland Home Builders, Inc.  
FOR Adv. & Posting for Case No. 81-101-A  
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE  
1st DISTRICT  
ZONING: Petition for Variance to permit a side street setback of 5 feet in lieu of the required 25 feet in the First District of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following:  
Petition for Variance to permit a side street setback of 5 feet in lieu of the required 25 feet in the First District of Baltimore County, being all of those two (2) side-by-side lots and parcels lying on the northeast corner of Prince George Street (100' wide) and Kent Avenue (100' wide), each lot having 25.00 feet frontage along the westerly right-of-way line of Kent Avenue and running southerly from the same for a distance of 125.00 feet, and all being shown on plat filed with the Zoning Department, Hearing Date: Tuesday, November 25, 1980 at 9:30 A.M.  
BY ORDER OF  
WILLIAM E. HAMMOND  
Zoning Commissioner  
of Baltimore County  
CERTIFICATE OF PUBLICATION  
TOWSON, MD., November 6, 1980  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once of one time before the 25th day of November 1980, the first publication appearing on the 6th day of November 1980.  
THE JEFFERSONIAN,  
L. Frank Sullivan  
Manager.  
Cost of Advertisement, \$           

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 85099  
DATE April 15, 1982 ACCOUNT 01-712  
AMOUNT \$17.00  
RECEIVED FROM Mrs. Elizabeth Nicholson, 3144 Cardinal Drive, Westminster, Md. 21157  
FOR Case No. 81-101-A, Robert Nicholson, et ux  
VALIDATION OR SIGNATURE OF CASHIER





**TITLE** VARIANCE PLAT

**PROJECT** CATONSVILLE MANOR, BLOCK 2, LOTS 13 & 14 WPC 6 F 116

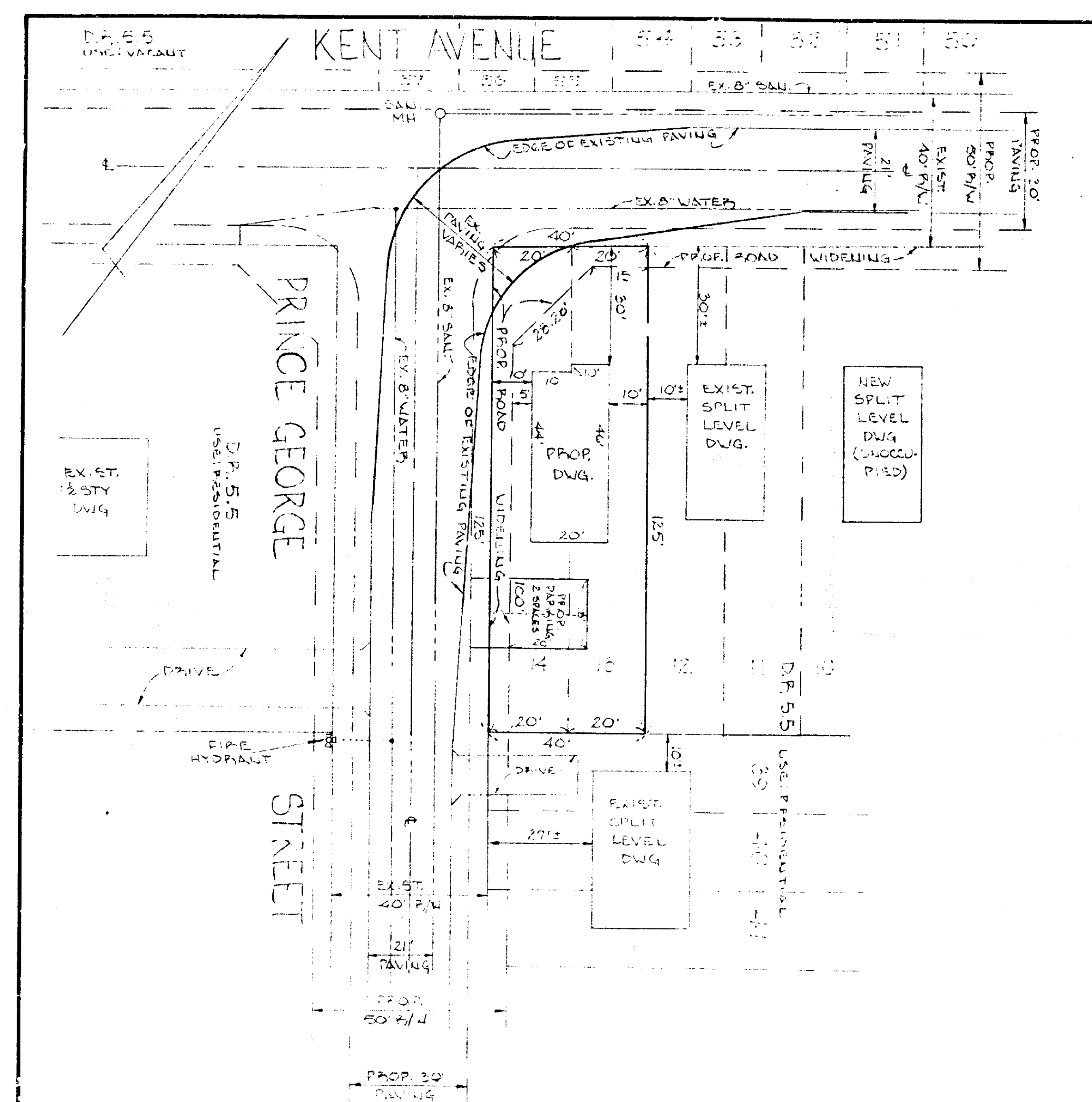
**LOCATION** EL. DIST. NO. 1, BALTIMORE COUNTY, MARYLAND.

**DATE:** 6-18-80 **DESIGN BY:** **DRAWN BY:** JCB. **CHECKED BY:**

**SCALE:** 1"=50' **JOB NO.:** 8087 **DRAWING NO.:** 1 of 1

**boender associates** engineers, surveyors, planners

BALTIMORE 301-465-7777 • SALISBURY 301-749-1286



- GENERAL NOTES**
1. EXISTING ZONING: DR. 5.5
  2. PROPOSED ZONING: DR. 5.5 WITH A VARIANCE TO PERMIT A SIDE STREET SETBACK OF 5 FEET INSTEAD OF THE REQUIRED 25 FEET
  3. AREA:  
- EXISTING: 0.115 AC ±  
- FUTURE (AFTER ROAD WIDENING): 0.085 AC ±
  4. PARKING:  
- REQUIRED: 2 SPACES  
- PROVIDED: 2 SPACES

**PLAT FOR VARIANCE TO ZONING**  
 KENT AVENUE & PRINCE GEORGE STREET  
 1ST ELECTION DISTRICT BALTIMORE CO., MD.  
 SCALE: 1"=20' Nov. 16, 1982



**SPELLMAN, LARSON & ASSOC., INC.**  
 SUITE 107 JEFFERSON BUILDING  
 TOWSON, MARYLAND 21204  
 323-3535

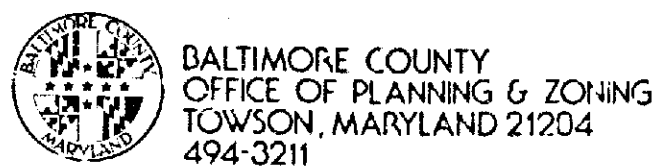


Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of February, 1981, that the herein Petition for Variance(s) to permit a side street setback of five feet from the proposed fifty foot right of way line of Kent Avenue (ten feet from the existing side property line of Lot 14) in lieu of the required twenty-five feet, as provided for in Section 304 of the Baltimore County Zoning Regulations and in accordance with the site plan prepared by Boender Associates, dated as received by the Office of Planning and Zoning on October 22, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. No additions or projections shall encroach upon or into the side yard variance granted.
2. No fence, shrubbery, trees, hedge, or other screening shall be located in or near the side yard variance granted nor in the front yard which will obstruct the vision at the intersection of Prince George Street and Kent Avenue from either direction.
3. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

*William E. Hammond*  
Zoning Commissioner of  
Baltimore County



NORMAN E. GERBER  
DIRECTOR

September 18, 1980

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #37, Zoning Advisory Committee Meeting, August 19, 1980, are as follows:

Property Owner: Robert and Elizabeth Nicholson  
Location: NE corner Prince George Street and Kent Avenue  
Acres: 40 X 125  
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development



STEPHEN E. COLLINS  
DIRECTOR

September 3, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

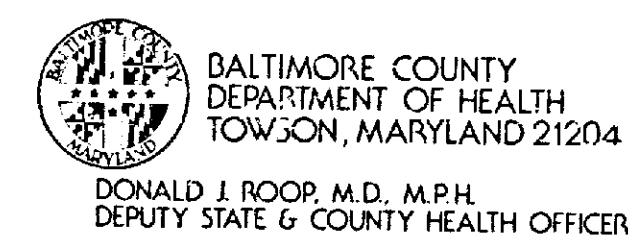
Dear Mr. Hammond:

The Department of Traffic Engineering has no comments on Items 36 and 37 of the Zoning Advisory Committee Meeting of August 19, 1980.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Engineer Associate II

MSF/mjm



DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

September 10, 1980

Mr. William R. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #37, Zoning Advisory Committee meeting of August 19, 1980, are as follows:

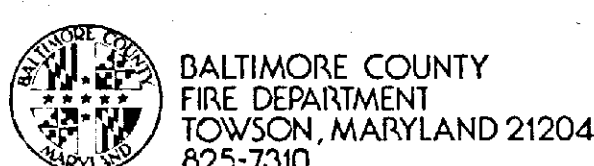
Property Owner: Robert & Elizabeth Nicholson  
Location: NE/Corner Prince George Street & Kent Avenue  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a side setback of 10' instead of the required 25' in the D.R. 5.5 zone  
Acres: 40 x 125  
District: 1st

Metropolitan water and sewer are available, therefore, no health hazards are anticipated.

Very truly yours,

*John J. Fontana*  
John J. Fontana, Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw



PAUL H. REINCKE  
CHIEF

September 4, 1980

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: Robert & Elizabeth Nicholson

Location: NE/Corner Prince George Street & Kent Avenue

Item No.: 37 Zoning Agenda: Meeting of 8/19/80

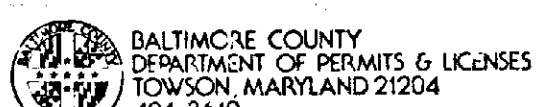
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. Kaganoff* Noted and Approved: *George M. Kaganoff*  
PLANNING GROUP FIRE PREVENTION BUREAU  
SPECIAL INSPECTION DIVISION

/mb



TED ZALEWSKI, JR.  
DIRECTOR

August 28, 1980

Mr. William R. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #37 Zoning Advisory Committee Meeting, August 19, 1980, are as follows:

Property Owner: Robert & Elizabeth Nicholson  
Location: NE corner Prince George Street & Kent Avenue  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a side street setback of 10' instead of the required 25' in the D.R. 5.5 zone.

Acres: \_\_\_\_\_

District: \_\_\_\_\_

The items noted below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- B. A building/\_\_\_\_\_ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal. (As not required).
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 6" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section 4.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 311.
- I. Comments -

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #102 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,  
*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB/rjg

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: Sept. 2, 1980

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: August 19, 1980

RE: Item No: 36, 37  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

*Wm. Nick Petrovich*  
Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/bp

IN THE MATTER OF PETITION FOR VARIANCE :  
Northeast corner Prince George :  
Street and Kent Avenue :  
1st District :  
IN THE CIRCUIT COURT :  
FOR :  
BALTIMORE COUNTY :  
AT LAW :  
Case No. 81-101-A :  
Misc. File No. 14 :  
Folio No. 104 :  
File No. 82 M 99 :

### CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, John V. Murphy, Patricia Phipps, and John A. Miller, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Mr. and Mrs. Robert Nicholson, 3144 Cardinal Drive, Westminster, Md. 21157, Petitioners; Kenneth Stedding, 5947 Prince George St., Baltimore, Md. 21207, Protestant; Raymond A. Pfeiffer, 5944 Prince George St., Baltimore, Md. 21207, Protestant; Benjamin F. Weigand, 5942 Prince George St., Baltimore, Md. 21207, Protestant; and John W. Hession, III, Esq., Court House, Towson, Maryland 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

*John A. Miller*  
John A. Miller, County Board of Appeals  
Rm. 200, Court House, Towson, Md. 21204  
Telephone 494-3180

I HEREBY CERTIFY that a copy of the aforesaid Certificate of Notice has been mailed to Mr. and Mrs. Robert Nicholson, 3144 Cardinal Drive, Westminster, Md. 21157, Petitioners; Kenneth Stedding, 5947 Prince George St., Baltimore, Md. 21207,



Robert Nicholson  
Case No. 81-101-A

Protestant; Raymond A. Pfeifer, 5944 Prince George St., Baltimore, Md. 21207, Protestant;  
Benjamin F. Weigand, 5942 Prince George St., Baltimore, Md. 21207, Protestant; and  
John W. Hession, III, Esq., Court House, Towson, Md. 21204, People's Counsel for  
Baltimore County on this 8th day of April, 1982.

*June Holmen*  
June Holmen  
County Board of Appeals of Baltimore County

RE: IN THE MATTER OF PETITION FOR VARIANCE  
FOR VARIANCE  
Northeast corner Prince George Street and Kent Avenue  
1st District  
IN THE CIRCUIT COURT FOR BALTIMORE COUNTY  
AT LAW  
Misc. Docket No. 14  
Folio No. 104  
File No. 82-M-99  
ROBERT NICHOLSON, et ux,  
Petitioners  
Case No. 81-101-A

PETITION ON APPEAL

Robert Nicholson, Protestant below and Appellant herein, files this Petition on Appeal setting forth the grounds upon which this Appeal is taken, viz:

1. The record failed to show reasons why Variance was denied.
2. The record failed to show the hardship the Petitioners will have with a useless piece of property.
3. The record failed to show the Petitioners put said property up for sale and Protestants have not come forward to purchase.
4. The Petitioners feel the Board of Appeals did not take into consideration the fact that other people have received Variances in this community.
5. The Petitioners would like to see the County consider putting stop signs at the corner of Prince George Street and Kent Avenue to eliminate any Safety Hazards.

WHEREFORE, Petitioners pray that the Order of the Board of Appeals dated March 6, 1982 be reversed.

AND AS IN DUTY BOUND, etc.

*Robert Nicholson*  
Robert Nicholson

I HEREBY CERTIFY that on this 15th day of April, 1982, a copy of the foregoing Petition or Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204.

*Robert Nicholson*  
Robert Nicholson

RECEIVED  
BALTIMORE COUNTY  
APR 15 10 12 AM '82  
CITY CLERK  
BY: [Signature]

RE: IN THE MATTER OF PETITION FOR VARIANCE  
FOR VARIANCE  
Northeast corner Prince George Street and Kent Avenue  
1st District  
IN THE CIRCUIT COURT FOR BALTIMORE COUNTY  
AT LAW  
ROBERT NICHOLSON, et ux,  
Petitioners/Appellants  
14/104/82-M-99  
Zoning Case No. 81-101-A

ANSWER TO PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellee herein, answers the Petition on Appeal heretofore filed by the Appellant, viz:

1. That the Appellee denies the allegations made and contained in the first through fifth paragraphs of said Petition.
2. That the decision of the Board of Appeals of Baltimore County herein was proper and justified by the evidence before it and that the decision of the Board should therefore be sustained as being properly and legally made.

AND AS IN DUTY BOUND, etc.,

*John W. Hession, III*  
John W. Hession, III  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 15th day of April, 1982, a copy of the foregoing Answer to Petition on Appeal was delivered to the Administrative Secretary, Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy was mailed to Mr. and Mrs. Robert Nicholson, 3144 Cardinal Drive, Westminster, Maryland 21157.

*John W. Hession, III*  
John W. Hession, III

RE: IN THE MATTER OF PETITION FOR VARIANCE  
FOR VARIANCE  
Northeast corner Prince George Street and Kent Avenue  
1st District  
IN THE CIRCUIT COURT FOR BALTIMORE COUNTY  
AT LAW  
Misc. File No. 14  
Folio No. 104  
File No. 82-M-99  
ROBERT NICHOLSON, et ux,  
Petitioners  
Case No. 81-101-A

Robert Nicholson, Protestant below and Appellant herein, request thirty (30) days extension. So that, the court reporter, Carol Beresh, may have enough time to type the manuscript.

*Robert Nicholson*  
Robert Nicholson

I hereby Certify that on this 4 day of May 1982, a copy of the request for extension was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204.

*Robert Nicholson*  
Robert Nicholson

*Request granted, 30 day extension allowed, by order of the Circuit Court for Baltimore County*

*Walter H. Hulse, Judge*  
Date signed May 4, 1982

IN THE MATTER OF PETITION FOR VARIANCE  
FOR VARIANCE  
Northeast corner Prince George Street and Kent Avenue  
1st District  
IN THE CIRCUIT COURT FOR BALTIMORE COUNTY  
AT LAW  
Misc. File No. 14  
Folio No. 104  
File No. 82-M-99  
ROBERT NICHOLSON, et ux,  
Petitioners-Appellants  
Case No. 81-101-A

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come John V. Murphy, Patricia Phipps and John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 81-101-A  
October 22, 1980 Petition of Robert Nicholson, et ux, for a variance from Sec. 1802.3c.1 to permit a side street setback of 5 ft. instead of the required 25 ft.  
October 22, 1980 Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for Nov. 25, 1980, at 9:30 a.m.  
November 6, " Certificate of publication in newspaper - filed  
November 8, " Certificate of posting of property - filed  
November 3, " Comments of Baltimore County Director of Planning - filed  
November 13, " Comments of Baltimore County Zoning Plans Advisory Committee - filed  
November 25, " At 9:30 a.m. hearing held on petition by Zoning Commissioner

Robert Nicholson, et ux  
Case No. 81-101-A

February 26, 1981 Order of Zoning Commissioner GRANTING the variance w/restrictions  
March 12, " Order for Appeal to County Board of Appeals from Order of Zoning Commissioner  
October 27, " Hearing on appeal before County Board of Appeals  
March 8, 1982 Order of County Board of Appeals ordering that the Zoning Commissioner's Order dated Feb. 26, 1981, BE REVERSED and the variance from Sec. 1802.3c.1 petitioned for, be DENIED  
April 6, 1982 Order for Appeal filed in Circuit Court for Baltimore County by Elizabeth Nicholson, Petitioner  
April 8, 1982 Certificate of Notice sent to all interested parties  
April 15, 1982 Petition to accompany Order for Appeal filed in Circuit Court for Baltimore County  
May 4, 1982 Request for Extension of Time to submit Transcript  
May 5, 1982 Transcript of testimony - filed

Petitioner's Exhibit #1 - Plat of subj. property  
" #2 - Rev. plat of subj. property  
Protestants' Exhibit #1 - Plat-Catonsville Manor 4/17, 2 pages, (in 2d of Appeals docket) filed in Court with (docket) case  
" #2 - Photo of subj. street (p18) 1-18-83  
" #3 - Photo of subj. street 7/23-83 - Shown to us 2A+2B

May 5, 1982 Record of proceedings filed in the Circuit Court for Baltimore County  
Record of proceedings pursuant to which said Order was entered  
and said Board acted are permanent records of the Zoning Department of Baltimore County, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rule and regulations whenever directed to do so by this Court.

Respectfully submitted,

*June Holmen*  
June Holmen  
County Board of Appeals of Baltimore County

cc: J. Hession, Esq.  
Mr. and Mrs. Robt. Nicholson

Robert Lee Nicholson  
Elizabeth Nicholson

IN THE CIRCUIT COURT

FOR  
BALTIMORE COUNTY  
Docket 14 Folio 104  
Case No. 82M99

NOTICE OF FILING OF RECORD

TO: Robert Lee Nicholson Elizabeth Nicholson John W. Hession, III Peter Max Zimmerman June Holman  
3144 Cardinal Dr. Rm. 223, Courthouse Towson, Md. 21204 Mail Stop 2203  
Westminster, Md. 21157

In accordance with Maryland Rule of Procedure 812, you are notified that the record in the above entitled case was filed on May 5, 1982.

*James H. Hession, Jr.*  
Clerk

EILED MAY 5 1982

RECEIVED  
BALTIMORE COUNTY  
MAY 7 11 0 AM '82  
CITY CLERK  
BY: [Signature]



IN THE MATTER \* BEFORE THE  
OF THE APPLICATION \* BOARD OF APPEALS  
OF ROBERT NICHOLSON, et ux. \*  
FOR VARIANCE OF PROPERTY \* OF  
LOCATED ON THE NE CORNER OF \* BALTIMORE COUNTY  
PRINCE GEORGE STREET AND \*  
KENT AVENUE - 1st DISTRICT \* Case No. 81-101-A

ORDER FOR APPEAL BY APPLICANT

MR. CLERK:

Please enter an appeal on behalf of ROBERT NICHOLSON, et ux., Applicant, from the Order of the Board of Appeals of Baltimore County, passed in the above case on the 24th day of November, 1982.

*E. Pete Summerfield*  
E. PETE SUMMERFIELD  
Summerfield & Willen  
110 Painters Mill Road, Suite 6  
Owings Mills, Maryland 21117  
(301) 363-4444

Attorney for Robert Nicholson,  
et ux.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of December, 1982, a copy of the foregoing Order for Appeal by Applicant was mailed, Certified Mail - Return Receipt Requested, in compliance with Rule B2, to the County Board of Appeals, Room 219, Courthouse, Towson, Maryland 21204. Postage was pre-paid.

(hand delivered)

*E. Pete Summerfield*  
E. Pete Summerfield

IN THE MATTER \* BEFORE THE  
OF THE APPLICATION \* BOARD OF APPEALS  
OF ROBERT NICHOLSON, et ux. \*  
FOR VARIANCE OF PROPERTY \* OF  
LOCATED ON THE NE CORNER OF \* BALTIMORE COUNTY  
PRINCE GEORGE STREET AND \*  
KENT AVENUE - 1st DISTRICT \* Case No. 81-101-A

Service of copy of the within Appeal admitted by the  
County Board of Appeals of Baltimore County this \_\_\_\_ day of  
\_\_\_\_, 1982.

Secretary

IN THE MATTER \* BEFORE THE  
OF THE APPLICATION \* BOARD OF APPEALS  
OF ROBERT NICHOLSON, et ux. \*  
FOR VARIANCE OF PROPERTY \* OF  
LOCATED ON THE NE CORNER OF \* BALTIMORE COUNTY  
PRINCE GEORGE STREET AND \*  
KENT AVENUE - 1st DISTRICT \* Case No. 81-101-A

APPEAL PETITION

Now comes the Petitioners, ROBERT NICHOLSON, et ux. by their attorneys, E. Pete Summerfield and Summerfield & Willen, and represents as follows:

1. That on November 24, 1982, the County Board of Appeals on remand passed an Order and Opinion affirming its prior decision not to grant the Petitioners' requested variance of the zoning regulations of Baltimore County.

2. That the remand was requested by Judge Buchanan for the specific purpose of taking expert testimony from a civil engineer.

3. That the uncontradicted testimony given by the expert, Robert Spellman, was that the proposed use for a dwelling would not significantly lessen the visibility from the complaining properties to the south and east.

4. That the County Board of Appeals in derogation of the Order of remand, accepted the testimony of neighbors who were not qualified as experts for the purpose of corroboration and bolstering the testimony from original County Board of Appeals hearings to the Petitioners' prejudice.

5. That the neighbors testimony was beyond the scope of

the County Board of Appeals authority and as abuse of discretion.

6. That the County Board of Appeals decision ignores the testimony of the expert and is not supported by legally sufficient evidence.

7. That the County Board of Appeals misconstrued the law and facts of this case.

WHEREFORE, the Petitioners respectfully pray the Court to review this case and to find:

a. that the County Board of Appeals erred in admitting the non-expert testimony,

b. that the decision is not supported by legally sufficient facts, and

c. that the findings of the Zoning Commissioner should be reinstated.

Service of copy of the within Appeal Petition admitted by the County Board of Appeals this \_\_\_\_ day of \_\_\_\_ , 1982.

Secretary

I HEREBY CERTIFY that a copy of the Appeal Petition was mailed this \_\_\_\_ day of Jan, 1983, to the County Board of Appeals, Room 219, Courthouse, Towson, Maryland 21204. Postage was prepaid.

*E. Pete Summerfield*  
E. PETE SUMMERFIELD  
Summerfield & Willen  
110 Painters Mill Road, Suite 6  
Owings Mills, Maryland 21117  
(301) 363-4444

IN THE MATTER OF \* IN THE  
PETITION FOR VARIANCE \* CIRCUIT COURT  
NORTHEAST CORNER PRINCE GEORGE \*  
STREET AND KENT AVENUE \*  
1st District \* FOR  
ROBERT NICHOLSON, et ux, \* BALTIMORE COUNTY  
Petitioners-Appellants \* AT LAW  
Case No. 81-101-A \* Misc. File No. 15  
\* Folio No. 30  
\* File No. 82-M-425

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, Keith S. Franz, and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Mr. and Mrs. Robert Nicholson, 3144 Cardinal Drive, Westminster, Md. 21157, Petitioners; E. Pete Summerfield, Esq., 110 Painters Mill Road, Suite 6, Owings Mills, Maryland 21117, Counsel for Robert Nicholson; Kenneth Stebbing, 5947 Prince George St., Baltimore, Md. 21207, Protestant; Raymond A. Pfeifer, 5944 Prince George St., Baltimore, Md. 21207, Protestant; Benjamin F. Weigand, 5942 Prince George St., Baltimore, Md. 21207, Protestant; and John W. Hessian, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

*June Holman*  
June Holman, County Board of Appeals  
Rm. 200, Court House, Towson, Md. 21204  
Telephone 494-3180

IN THE MATTER OF \* IN THE  
PETITION FOR VARIANCE \* CIRCUIT COURT  
Northeast corner Prince George \*  
Street and Kent Avenue \*  
1st District \* FOR  
ROBERT NICHOLSON, et ux, \* BALTIMORE COUNTY  
Petitioners-Appellants \* AT LAW  
Zoning File No. 81-101-A \* Misc. File No. 14-15  
\* Folio No. 104-30  
\* File No. 82-M-99 & 82-M-425

CERTIFIED COPIES OF PROCEEDINGS BEFORE  
BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, Keith S. Franz, and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Board of Appeals of Baltimore County:

ENTRIES FROM DOCKET OF BOARD OF APPEALS OF BALTIMORE COUNTY  
August 24, 1982 REMANDED to the Board by Judge Wm. R. Buchanan, Sr.  
November 18, 1982 Remand hearing held before the Board at 10:00 a.m.  
November 24, 1982 Order of County Board of Appeals denying the variance petitioned for.  
December 23, 1982 Order for Appeal filed in the Circuit Ct. for Baltimore County by E. Pete Summerfield, Esq., on behalf of Robert Nicholson, et ux, Petitioners  
December 27, 1982 Certificate of Notice sent to all interested parties  
January 6, 1983 Petition to accompany Order for Appeal filed in the Circuit Ct. for Baltimore County  
January 18, Transcript of testimony filed - 1 volume

Robert Nicholson, et ux  
Case No. 81-101-A

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Mr. and Mrs. Robert Nicholson, 3144 Cardinal Drive, Westminster, Md. 21157, Petitioners; E. Pete Summerfield, Esq., 110 Painters Mill Rd., Suite 6, Owings Mills, Md. 21117, Counsel for Robert Nicholson; Kenneth Stebbing, 5947 Prince George St., Baltimore, Md. 21207, Protestant; Raymond A. Pfeifer, 5944 Prince George St., Baltimore, Md. 21207, Protestant; Benjamin F. Weigand, 5942 Prince George St., Baltimore, Md. 21207, Protestant; and John W. Hessian, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 27th day of December, 1982.

*June Holman*  
June Holman  
County Board of Appeals of Baltimore County

Robert Nicholson, et ux  
Zoning File No. 81-101-A

Petitioner's Exhibit No. 3 - Plat, Nov. 16, 1982 (Spellman, Larson)  
" " " 4 - Plat, June 18, 1980 (Boender)  
January 18, 1983 Record of proceedings filed in the Circuit Court for Baltimore County (Also, original Court file, with transcript and exhibits)  
Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Board of Appeals of Baltimore County, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations whenever directed to do so by this Court.

Respectfully submitted,

*June Holman*  
June Holman  
County Board of Appeals of Baltimore County

cc: E. Pete Summerfield, Esq.  
Mr. Kenneth Stebbing  
Mr. Raymond A. Pfeifer  
Mr. Benjamin F. Weigand  
John W. Hessian, III, Esq.







Robert Nicholson, et ux  
Case No. 81-101-A

3.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 24th day of November, 1982, by the County Board of Appeals, ORDERED that the variance from Section 1802.3c.1 to permit a side street setback of 5 ft. in lieu of the required 25 ft. petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*William T. Hackett*  
William T. Hackett, Chairman

*Keith S. Franz*  
Keith S. Franz

*Patricia Phipps*  
Patricia Phipps

RE: PETITION FOR VARIANCE : BEFORE  
Northeast corner Prince George : COUNTY BOARD OF APPEALS  
Street and Kent Avenue : OF  
1st District :  
ROBERT NICHOLSON, et ux, : BALTIMORE COUNTY  
Petitioners :  
: No. 81-101-A

OPINION

This case comes before the Board on appeal from a decision of the Zoning Commissioner dated February 26, 1981, granting the requested variance subject to certain restrictions. The subject property is located on the northeast corner of Prince George Street and Kent Avenue in the 1st Election District of Baltimore County. The Petitioners request a variance from Sec. 1802.3c.1 to permit a side street setback of five feet (5') in lieu of the required twenty-five feet (25').

The Petitioner testified that he wanted to build a 44' x 20' "shotgun" bi-level house on the subject site which is a vacant 125' x 40' lot. The dwelling would be within five feet (5') of the road instead of the required twenty-five feet (25'). His testimony indicated that the other houses on the road "stick out" and he wanted to be treated equally by granting the variance.

Five neighbors testified in opposition to the proposed variance. All of the Protestants cited safety hazards that would result because the proposal would create a blind corner. They also explained that the requested variance would leave no room for sidewalks or the widening of Prince Georges Street.

Testimony presented to the Board by the Petitioner did not in any way show proof of hardship. In fact, beyond a statement of facts concerning the actual site and that other houses jutted out to the road, the Petitioner seemed confused as to his burden of proving hardship and practical difficulty and offered little on which this Board could find such. The Protestants, however, were in complete agreement as to the various problems the granting of the variance would create and/or increase in their immediate neighborhood. All of the Protestants were near-by neighbors. In view of these facts, the Board will deny the variance.

Robert Nicholson, et ux  
Case No. 81-101-A

2.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 8th day of March, 1982, by the County Board of Appeals, ORDERED that the Zoning Commissioner's Order dated Feb. 26, 1981, BE REVERSED and the variance from Section 1802.3c.1 petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*John V. Murphy*  
John V. Murphy, Acting Chairman

*Patricia Phipps*  
Patricia Phipps

*John A. Miller*  
John A. Miller

boender associates

BALTIMORE DIVISION INC.  
TOWN & COUNTRY PROFESSIONAL BUILDING  
ELLCOTT CITY, MARYLAND 21043  
301-465-7777

engineers  
surveyors  
planners

DESCRIPTION  
LANDS OF ROBERT NICHOLSON  
FIRST ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

BEING all of those two (2) adjacent, contiguous and parallel lots lying on the northeast corner of Prince George Street (40' wide) and Kent Avenue (40' wide), each lot having 20.00 foot frontage along the easterly right of way line of Kent Avenue and running southerly from the same for a distance of 125.00 feet, said lots being known and designated as Lots 13 and 14 on a plat of subdivision entitled "Plat Number Two, Catonsville Manor" recorded among the Land Records of Baltimore County, Maryland in Platbook W.P.C. 6 at Folio 116, said lots also being all of the lands described in a conveyance from Emma and Kenneth Dyer to Robert Nicholson by deed dated March 24, 1980 and recorded among the aforesaid land records in Liber 6147 at Folio 540.

jl:7/11/80

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

March 12, 1981

Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

RE: Petition for Variance  
NE/C Prince George Street and  
Kent Avenue  
Robert Nicholson, et ux  
Case No. 81-101-A

Dear Mr. & Mrs. Nicholson:

Please be advised that an Appeal has been filed by Raymond Pfeifer, Kenneth Stedding and Benjamin Weigand, from the decision rendered by the Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

*William E. Hammond*  
William E. Hammond  
Zoning Commissioner

WEH:sj

cc: John W. Hessian, III, Esquire  
People's Counsel

February 26, 1981

Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

RE: Petition for Variance  
NE/corner of Prince George Street  
and Kent Avenue - 1st Election  
District  
Robert Nicholson, et ux - Petitioners  
NO. 81-101-A (Item No. 37)

Dear Mr. & Mrs. Nicholson:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:slr

Attachments

cc: Mr. Kenneth Stedding  
5947 Prince George Street  
Baltimore, Maryland 21207

Mr. Raymond A. Pfeifer  
5944 Prince George Street  
Baltimore, Maryland 21207

Mr. Benjamin F. Weigand  
5942 Prince George Street  
Baltimore, Maryland 21207

John W. Hessian, III, Esquire  
People's Counsel

ZONING COMMISSIONER

COUNTY OFFICE BUILDING

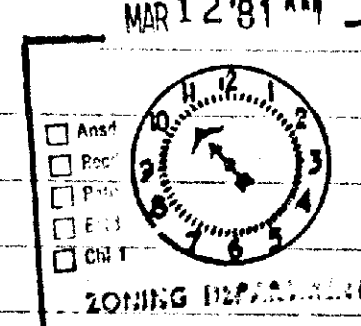
TOWSON, MARYLAND 21204

SIR:

THIS REFERS TO YOUR LETTER OF FEBRUARY 26, 1981 GRANTING A ZONING VARIANCE FOR THE PROPERTY OWNED BY ROBERT AND ELIZABETH NICHOLSON ON THE SE/CORNER OF PRINCE GEORGE STREET AND KENT AVENUE, BALTIMORE COUNTY, MARYLAND.

WE HAVE BEEN ADVISED THROUGH A PHONE CALL TO THE ZONING COMMISSIONER OFFICE THAT THE TOTAL FEE FOR AN APPEAL OF THIS ORDER IS \$40.00 AND A CHECK FOR THAT AMOUNT IS ENCLOSED.

WE FEEL THAT A THOROUGH DISCUSSION, AT THE APPEAL, OF THE LOCATION OF THE PROPOSED BUILDING IN RESPECT TO PRINCE GEORGE STREET AS WELL AS KENT AVENUE, SHOULD PROVE JUSTIFICATION FOR REVERSAL OF YOUR ORIGINAL DECISION.



SINCERELY

*Raymond A. Pfeifer*  
Raymond A. Pfeifer  
5944 PRINCE GEORGE STREET  
BALTIMORE, MD 21207

MR. KENNETH STEDDING  
5947 PRINCE GEORGE ST., BALTIMORE, MD 21207

MR. BENJAMIN F. WEIGAND  
5942 PRINCE GEORGE ST., BALTIMORE, MD 21207

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

April 30, 1981

Mr. and Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

RE: Petition for Variance  
NE/corner Prince George Street  
and Kent Avenue  
Robert Nicholson, et ux  
Case No. 81-101-A

Dear Mr. and Mrs. Nicholson:

Please be advised that a second Appeal has been filed by Marc A. Appel on behalf of Stanley A. Bullock, Jr., from the decision rendered by the Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

*William E. Hammond*  
William E. Hammond  
Zoning Commissioner

WEH:klr

cc: John W. Hessian, III, Esquire  
People's Counsel

Mr. Kenneth Stedding  
5947 Prince George Street  
Baltimore, MD 21207

Mr. Raymond A. Pfeifer  
5944 Prince George Street  
Baltimore, Maryland 21207

Mr. Benjamin F. Weigand  
5942 Prince George Street  
Baltimore, Maryland 21207



LAW OFFICES  
WALDMAN, GROSSFELD and APPEL  
902 WEST 36TH STREET  
BALTIMORE, MARYLAND 21211  
(301) 233-4150

MYER E. GROSSFELD  
MARC A. APPEL

SIDNEY WALDMAN  
(1923-1980)

March 19, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Zoning Case No. 81-101A

Dear Sir:

Please enter my appearance on behalf of Stanley A. Bullock, Jr. in his appeal of zoning case no. 81-101A. Also enclosed please find our check for \$40.00 to cover the cost of said appeal and a self-addressed, stamped envelope for the return of the zoning appeal receipt.

Thanking you for your assistance.

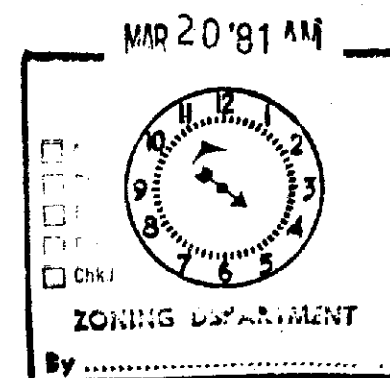
Very truly yours,

WALDMAN, GROSSFELD AND APPEL

By Marc A. Appel  
MARC A. APPEL

MAA/ga

Enclosures



October 28, 1980

Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

NOTICE OF HEARING

RE: Petition for Variance - NE/C Prince George Street  
and Kent Avenue - Case No. 81-101-A

TIME: 9:30 A.M.

DATE: Tuesday, November 25, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

cc: Boender Associates  
Suite 101-107 Town & Country  
Professional Building  
Ellicott City, Maryland 21043



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

November 13, 1980

Mr. & Mrs. Robert Nicholson  
3144 Cardinal Drive  
Westminster, Maryland 21157

RE: Petition for Variance  
NE/C Prince George St & Kent Ave  
Case No. 81-101-A

Dear Mr. & Mrs. Nicholson:

This is to advise you that \$45.79 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:sj

cc: Boender Associates  
Suite 101-107 Town & Country  
Professional Building  
Ellicott City, Maryland 21043

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond  
Zoning Commissioner

TO: Norman E. Gerber, Director  
Office of Planning and Zoning

Date: November 3, 1980

FROM: Petition No. 81-101-A Item 37

SUBJECT: Petition No. 81-101-A Item 37

Petition for Variance for side street setback  
Northeast corner of Prince George Street and Kent Avenue  
Petitioner: Robert Nicholson, et ux

First District

HEARING: Tuesday, November 25, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:ab

PETITION FOR VARIANCE

1st District

ZONING: Petition for Variance for side street setback  
LOCATION: Northeast corner of Prince George Street and Kent Avenue  
DATE & TIME: Tuesday, November 25, 1980 at 9:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side street setback  
of 5 feet in lieu of the required 25 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3C.1 - side street setbacks

All that parcel of land in the First District of Baltimore County

Being the property of Robert Nicholson, et ux, as shown on plat plan filed  
with the Zoning Department

Hearing Date: Tuesday, November 25, 1980 at 9:30 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

LAW OFFICES  
WALDMAN, GROSSFELD and APPEL  
902 WEST 36TH STREET  
BALTIMORE, MARYLAND 21211  
(301) 233-4150

MYER E. GROSSFELD  
MARC A. APPEL

SIDNEY WALDMAN  
(1923-1980)

March 19, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Zoning Case No. 81-101A

Dear Sir:

Please enter my appearance on behalf of Stanley A. Bullock, Jr. in his appeal of zoning case no. 81-101A. Also enclosed please find our check for \$40.00 to cover the cost of said appeal and a self-addressed, stamped envelope for the return of the zoning appeal receipt.

Thanking you for your assistance.

Very truly yours,

WALDMAN, GROSSFELD AND APPEL

By Marc A. Appel  
MARC A. APPEL

MAA/ga

Enclosures

RECEIVED

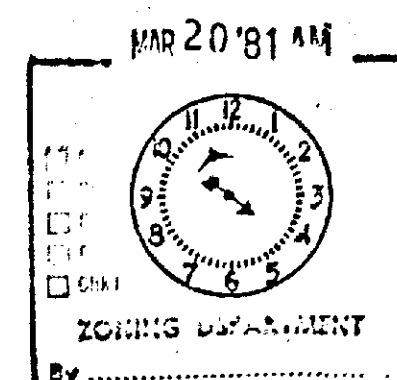
BALTIMORE COUNTY

MAR 20 3 34 PM '81

COUNTY BOARD

OF PLANNING

BY: [Signature]



10/9/81 - Notified of appeal scheduled for hearing on TUESDAY, OCTOBER 27, 1981 at 11 a.m.

Mr. and Mrs. Robert Nicholson  
Mr. Kenneth Stedding  
Mr. Raymond A. Pfeifer  
Mr. Benjamin F. Weigand  
Marc A. Appel, Esq.  
John W. Hession, III, Esq.  
Mr. W. E. Hammond  
Mr. J. E. Dyer  
Mr. N. E. Gerber

LAW OFFICES  
WALDMAN, GROSSFELD and APPEL  
902 WEST 36TH STREET  
BALTIMORE, MARYLAND 21211  
(301) 233-4150

MYER E. GROSSFELD  
MARC A. APPEL

SIDNEY WALDMAN  
(1923-1980)

October 20, 1981

County Board of Appeals  
Room 218, Court House  
Towson, Maryland 21204

Re: Case No. 81-101-A  
Robert Nicholson, et al. Let 10/9/81

Gentlemen:

Please be advised that the Protestant-Appellant, Stanley A. Bullock, Jr. has sold his property in connection to the Variance which was granted. Please strike Mr. Bullock's appeal and my appearance on his behalf.

Very truly yours,

WALDMAN, GROSSFELD AND APPEL

By Marc A. Appel  
MARC A. APPEL

MAA/ga

RECEIVED  
BALTIMORE COUNTY  
MAY 12 1981  
COUNTY BOARD  
OF PLANNING  
BY: [Signature]